

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**FRANK DAUGHTERY, #151465**

**PLAINTIFF**

**v.**

**CAUSE NO. 1:18-cv-4-LG-RHW**

**STATE OF MISSISSIPPI**

**DEFENDANT**

**FINAL JUDGMENT**

This cause is before the Court, sua sponte, for consideration of dismissal. Pursuant to the Order of Dismissal issued this date and incorporated herein by reference,

**IT IS, HEREBY, ORDERED AND ADJUDGED** that, Daughtery's § 1983 claims against Defendant State of Mississippi are **DISMISSED WITH PREJUDICE**.

**IT IS, FURTHER, ORDERED AND ADJUDGED** that, any habeas corpus claims Daughtery may be asserting in this § 1983 case are **DISMISSED WITHOUT PREJUDICE** to Daughtery's pursuit of these claims in his pending habeas corpus case, *Daughtery v. Banks*, No. 2:17-cv-193-KS-FKB (S.D. Miss. Dec. 1, 2017).

**SO ORDERED AND ADJUDGED** this the 30th day of July, 2018.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE